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Congress of the United States
House of Representatives
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COMMITTEE ON
HOMELAND SECURITY

RANKING MEMBER,
SUBCOMMITTEE ON
CYBERSECURITY,
INFRASTRUCTURE
PROTECTION, AND INNOVATION

COMMITTEE ON SMALL BUSINESS

May 4, 2022

The Honorable Jen Easterly
Director
Cybersecurity and Infrastructure Security Agency
Department of Homeland Security
Washington, DC 20023

Dear Director Easterly,

I write to express concern and request additional information about the *Disinformation Governance Board (the Board)* reportedly being stood up within the Department of Homeland Security (DHS). DHS Secretary Mayorkas mentioned this new Board in passing last week and the Department did not provide any additional details.¹ I am deeply concerned about the lack of information provided to Congress and, as the lead House Republican tasked with overseeing the Cybersecurity and Infrastructure Security Agency (CISA), I request information about CISA's involvement with the Board.

As you know, CISA's mission is vast—you are expected to protect U.S. critical infrastructure from a wide range of cyber and physical threats. Part of that mission includes building resilience to Mis-, Dis-, and Malinformation (MDM)². CISA's MDM team is charged with protecting election and critical infrastructure from the threats of foreign influence. It is a national imperative to prevent foreign threat actors from using MDM campaigns to cause chaos, confusion, and division in the United States. CISA must continue to strive to prevent malign actors from interfering with and undermining our democratic institutions.

In accordance with our efforts to protect our democratic institutions, I have serious privacy and civil liberty concerns with this newly proposed Board. CISA's own website states, "CISA's publication of information materials about [disinformation] are intended for public awareness, and are not intended to restrict, diminish, or demean any person's right to hold, express, or publish any opinion or belief, including opinions or beliefs that align with those of a foreign government, are expressed by a foreign government-backed campaign, or dissent from the majority."³ It is not clear that this new Board has the same intentions.

¹ Disinformation board to tackle Russia, migrant smugglers; <https://apnews.com/article/russia-ukraine-immigration-media-europe-misinformation-4e873389889bb1d9e2ad8659d9975e9d>

² MIS, DIS, MALINFORMATION; <https://www.cisa.gov/mdm>

³ Disinformation Stops With You Infographic; https://www.cisa.gov/sites/default/files/publications/disinformation_stops_with_you_infographic_set_508.pdf

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In Secretary Mayorkas' comments on the Board, he mentioned you by name, saying you are helping to lead DHS efforts in this space.⁴ I have concerns the Secretary is tarnishing CISA's reputation in this space and harming efforts that are already underway by introducing a new layer of bureaucracy that is justifiably causing panic among Americans about the government encroaching on their privacy.

I also have concerns about the lack of Congressional notification about the Board, the lack of information about the Board's mission, the lack of clarity about CISA's involvement, and the lack of certainty about privacy and civil liberty protections for American citizens. As such, I respectfully request answers to the following:

1. What is CISA's mission set when it comes to MDM?
2. What is the mission set of the Disinformation Governance Board?
3. Where will these missions intersect? How will CISA engage with and participate in the Board?
4. How will CISA ensure its mission is not encroached upon, and the Board appropriately respects Americans' privacy and civil liberties, just as CISA has?
5. How do DHS and CISA plan to engage with Congress to ensure the appropriate Committees are notified of such announcements in the future?

Sincerely,



ANDREW R. GARBARINO
Ranking Member
Subcommittee on Cybersecurity,
Infrastructure Protection, and Innovation

cc:

The Honorable Alejandro Mayorkas
Secretary of Homeland Security

⁴ DHS Standing up Mis/Disinformation Board for Election Security; <https://www.meritalk.com/articles/dhs-standing-up-mis-disinformation-board-for-election-security/>